IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 24185 of 2003(D)

PETITIONER:

G.RAVEENDRAN NAIR,
SENIOR TOA (G), OFFICE OF THE EXECUTIVE ENGINEER,
B.S.N.L., TELECOM CIVIL DIVISION NO.2, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.G.SASIDHARAN CHEMPAZHANTHIYIL,
SRI.S.VISHNU,
SRI.MANOJ RAMASWAMY,
SMT.VIVEEJA RAVEENDRAN.

RESPONDENTS:
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1. **CHIEF ENGINEER CIVIL,**
   B.S.N.L., THIRUVANANTHAPURAM-23.

2. **CHIEF GENERAL MANAGER,**
   B.S.N.L., KERALA TELECOMMUNICATION,
   THIRUVANANTHAPURAM.

3. **DIRECTOR GENERAL,**
   B.S.N.L., NEW DELHI.

4. **UNION OF INDIA,**
   REP. BY ITS SECRETARY,
   MINISTRY OF COMMUNICATIONS,
   NEW DELHI.

BY ADV. SRI.M.A.MOHAMED ASHRAF, ADDL.CGSC,
SRI.M.A.MOHAMED ASHRAF, ADDL.CGSC,
SRI.S.K.BALACHANDRAN, SC, BSNL,
GOVT. PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.24185/2003:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER DTD. 12/08/1994 IN O.A. NO. 1109/1994 OF THE CAT, ERNAKULAM BENCH.

EXT.P.2: COPY OF THE LETTER NO. STB/45-5/95-II DTD. 07/06/1996 OF THE R.2.

EXT.P.3: COPY OF THE ORDER NO. RECTT/35-11/98 DTD. 23/10/1998 OF THE R.3.

EXT.P.4: COPY OF THE ORDER NO. 250-30/2001. PERS. III DTD. 03/12/2001 OF THE R.3.

EXT.P.5: COPY OF THE LETTER NO. STA/40-5/RIGS/TV/2000/ (PT.III) DTD. 31/12/2001 OF THE R.2.

EXT.P.6: COPY OF THE ORDER NO. 8 (18) A/CE ©/TVM/2002/482 DTD. 12/03/2002 OF THE R.1.

EXT.P.7: COPY OF THE REPRESENTATION DTD. 26/02/2001 TO THE R.2.

EXT.P.8: COPY OF THE ORDER NO. STB/45-5/2002 DTD. 29/04/2002 OF THE R.2.

EXT.P.9: COPY OF THE REPRESENTATION DTD. NIL TO THE R.2.

EXT.P.10: COPY OF THE ORDER NO.S TB/45-5/2002 DTD. 21/01/2003 OF THE R.2.

EXT.P.11: COPY OF THE LETTER NO. 27-2/94-TE-II (IV) DTD. 31/08/1994 OF THE R.4.

EXT.P.12: COPY OF THE ORDER DTD. 26/05/2003 IN O.A. NO. 179 OF 2003 OF THE CAT, ERNAKULAM BENCH.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.24185 of 2003

Dated 14th March, 2007.

J U D G M E N T

The issue raised in this writ petition is whether the petitioner is entitled for promotion as Senior T.O.A. with effect from 1.1.1994. Learned Standing Counsel for the B.S.N.L. submits that the petitioner had not submitted his option in 1996 and resultantly he did not participate in the first eligibility test. He participated only in the second eligibility test. All the persons were given notional promotion on the basis of their participation in the first eligibility test. Thus, there is no merit in the writ petition. It is dismissed.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 14th March, 2007.